

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Re: Appeal to the Board of Patent Appeals and Interferences

PATENT
APPLICATION

In re PATENT APPLICATION of
Inventor(s): MOODY et al.
Appl. No.: 09/ 457,765

Group Art Unit: 1654
Examiner: M. Meller
Atty. Dkt. P 0265189
M# 91431US/CON/WO
Client Ref. 1600,2900

Filed: December 10, 1999

Title: PROCESS FOR THE PREPARATION OF AMPICILLIN

Date: February 7, 2003

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir,

1. ☒ **NOTICE OF APPEAL:** Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision (not Advisory Action) dated August 9, 2003 of the Examiner twice/finally rejecting claim(s) in this application or in this application and its parent application.
2. ☐ **BRIEF** on appeal in this application attached in triplicate (extendable up to 5 months).
3. ☐ An **ORAL HEARING** is respectfully requested under Rule 194 (due two months after Examiner's Answer- unextendable).
4. ☐ Reply Brief is attached in triplicate (due two months after Examiner's Answer - unextendable).
5. ☐ "Small entity" statement filed: ☐ herewith. ☐ previously.
6. ☐ Fee **NOT** required because paid in prior appeal in which the Board of Patent Appeals and Interferences did not render a decision on the merits (35 USC 134).

7. FEE CALCULATION

	Large/Small Entity	Fee Code
If box 1 above is X'd,enter	\$320/160	\$320 119/219
If box 2 above is X'd,enter	\$320/160	\$0 120/220
If box 3 above is X'd,enter	\$280/140	\$0 121/221
If box 4 above is X'd,enter nothing	- 0 - (no fee)	
8. Original due date: November 9, 2002		
9. Petition is hereby made to extend the original due date (1 mo)	\$110/\$55	115/215
(2 mos)	\$410/\$205	116/216
(3 mos)	\$930/\$465	117/217
(4 mos)	\$1,450/\$725	118/218
(Usable only if box 2 is X'd--- 5 mos)	\$1,970/\$985 +\$930	128/228
10. Enter any previous extension fee paid <input checked="" type="checkbox"/> previously since above	- \$930	
Original due date (item 8); <input checked="" type="checkbox"/> with concurrently filed amendment		+0
11. Subtract line 10 from line 9 and enter: Total Extension Fee		
TOTAL FEE =		\$320

PLEASE CHARGE
OUR DEP. ACCT.

(Our Deposit Account No. 03-3975)

(Our Order No. 030268 0265189
C# M#

CHARGE STATEMENT. The Commissioner is hereby authorized to charge any fee specifically authorized hereafter, or any missing or insufficient fee(s) filed, or asserted to be filed, or which should have been filed herewith or concerning any paper filed hereafter, and which may be required under Rules 16-18: (missing or insufficiencies only) now or hereafter relative to this application and the resulting Official Document under Rule 20, or credit any overpayment, to our Accounting Order Nos. shown above, for which purpose a duplicate copy of this sheet is attached. This **CHARGE STATEMENT** does not authorize charge of the issue fee until/unless an issue fee transmittal sheet is filed.

Pillsbury Winthrop LLP
Intellectual Property Group

P.O. Box 10500
McLean, VA 22102
Tel: (703) 905-2000

By: Atty: Richard A. Steinberg

Reg. No. 26,588

Sig: Richard A. Steinberg

Fax: (703) 905-2500
Tel: (703) 905-2039

Atty/Sec: RAS/DLL

NOTE: File this cover sheet in duplicate with PTO receipt (PAT-103A) and attachments